Mr. Ross Hutchinson: Have you any reasons which you can put forward?

Mr. GRAHAM: I think they are self-evident. If a person performs an act which is contrary to the law then the law should not protect him and provide him with a facility to recover in respect of that offence. Parliament recognised that principle when it passed the Builders' Registration Act, which has been in operation for 25 to 26 years.

Mr. Ross Hutchinson: You say this applies only within the area.

Mr. GRAHAM: None of the provisions has application outside the restricted metropolitan area encompassed by the boundaries of the Metropolitan Water Board. I conclude on the note that in my opinion the Bill is simple to understand. Apart from correcting two errors in names it contains two principles, both of which have been accepted by Parliament, and one of which was introduced by this Government as recently as 1961. With those comments I have pleasure in submitting the Bill for the approval of the House.

Debate adjourned, on motion by Mr. Ross Hutchinson (Minister for Works).

House adjourned at 10.27 p.m.

Legislative Council

Thursday, the 23rd September, 1965

CONTENTS

The PRESIDENT (The Hon. L. C. Diver) took the Chair at 2.30 p.m., and read prayers.

QUESTIONS (4): ON NOTICE

WATER SUPPLIES: EUCLA BASIN

Bores: Number, Depth, and Further Tests

1. The Hon. R. H. C. STUBBS asked the Minister for Mines:

With reference to the Eucla basin in Western Australia—

(a) How many bores have been sunk in search of water, by—

(i) the Government; and

(ii) private enterprise?

(b) What are the various depths, water flow, and quality?

(c) Is it the intention of the Government to further test this area by sinking additional bores?

(d) If so, when can it be expected work will commence?

The Hon. A. F. GRIFFITH replied:

(a) (i) The Commonwealth Government drilled 18 bores along the transcontinental railway line. W.A. Main Roads Department drilled 10 bores along Eyre Highway. P.W.D. drilled two bores at and near Madura. Total 30 bores.

(ii) The bore census in the Eucla basin has not been completed, but up to date there are records of approximately 150 bores, most of them drilled for stock purposes.

(b) Depths: Depths vary from 100 feet to 2,000 feet. The bores along the transcontinental railway range in depth from 236 to 1,470 feet. The majority are between 300 and 600 feet deep. The bores along Eyre Highway vary in depth between 350 and 750 feet. Most stock bores are less than 350 feet deep. The deepest bore is at Madura, 2,041 feet. It is the only flowing bore known.

Water Flow: Bores along the transcontinental railway have reported supplies varying between 4,000 and 250,000 gallons per day. Most of them yield from 10,000 to 30,000 gallons per day. Some bores along Eyre Highway have been pump tested at rates of 2,000 to 5,700 gallons per hour. The majority of the remainder of the bores sunk have failed to yield water. Stock bores have smaller supplies, usually from 2,000 to 10,000 gallons per day.

Quality: A small number of bores along the transcontinental railway are reported to yield water of domestic quality. Generally, however, the waters in this area contain 150 to 500 grains of total dissolved solids. Along Eyre Highway salinities range as a rule between 1,000 and 1,500 grains per gallon. Water located in bores is usually of stock quality only, although, in the majority of cases, it is even too saline for this purpose.

(c) and (d) A geological survey of the Eucla basin is in progress and will be completed in approximately two years when a decision will be made whether the Government should drill additional bores.

SALMON GUMS SCHOOL

Upgrading to Junior High School

2. The Hon. R. H. C. STUBBS asked the Minister for Mines:

What would be the requirement by the Education Department in the way of—

(a) pupils;
(b) classrooms; and
(c) teachers

to upgrade the Salmon Gums School to a junior high school?

The Hon. A. F. GRIFFITH replied:

The minimum attendance required for the establishment of a class II junior high school is 150 pupils of whom at least 25 must be, in post-primary classes.

This, in effect, means an enrolment of about 165 pupils, including 30 in post-primary classes.

Hence the Salmon Gums School would need—

(a) an additional 30 primary pupils; and an additional 30 post-primary pupils;
(b) two more classrooms;
(c) two more teachers.

LITTER

Control Legislation

3. The Hon. G. E. D. BRAND asked the Minister for Local Government:

With the exception of the Local Government Act and the Health Act, has the Government any legislation for the strict control of litter in cities and towns?

The Hon. L. A. LOGAN replied:

Section 96 (17) of the Police Act prohibits the throwing of litter and like substances in any street, and traffic regulation 307 has a similar provision in relation to any road.

4. *This question was postponed.*

HOUSING LOAN GUARANTEE ACT AMENDMENT BILL

Third Reading

Bill read a third time, on the motion by The Hon. A. F. Griffith (Minister for Mines), and passed.

RURAL AND INDUSTRIES BANK ACT AMENDMENT BILL

Second Reading

THE HON. A. F. GRIFFITH (North Metropolitan—Minister for Mines) [2.40 p.m.]: I move—

That the Bill be now read a second time.

The management of the Rural and Industries Bank is vested in five commissioners in accordance with section 8 of the Act and this section also requires one of the commissioners to have administrative or executive experience in a trading bank.

There is contained in subsection (3) the requirement that the chairman and other full-time commissioners shall devote the whole of their time and attention to the business of the bank. The remaining member is required to devote to this business such portion of his time and attention as approved by the Governor on recommendation by the commissioners.

These provisions emanated from the 1944 legislation creating general banking facilities. Up to that time, the bank functioned as the Agricultural Bank of Western Australia, without a general banking division. With the introduction of general banking, it was considered at the time necessary to ensure that at least one full-time commissioner possessed administrative and executive experience in a trading bank, as I have previously indicated.

The part-time commissioner is the Under-Treasurer of the State or his deputy appointed under subsection (2) of section 10. The four full-time commissioners, including the chairman, are appointed under subsection (1) of that section.

In addition, it is required under section 12 that no person shall be eligible for appointment either as chairman or as a commissioner, or to continue to hold any such appointment, while he is an officer of any bank, firm, or institution which carries on the business of making loans on security of any lands in Western Australia. Consequently, should the chairman or a commissioner accept such an appointment, he would lose eligibility to retain his appointment under section 10 of the Act.

Additionally, it might be added that full-time commissioners are required to act as administrative officers. This is contained in paragraph (b) of subsection (2) of section 8. Administrative duties, as allocated to them by the chairman, are required to be discharged under the Act.

In view of the foregoing explanation, it will be apparent to members that Parliament's intention was that the chairman and other full-time commissioners should devote their full time to the management of the bank.

It is therefore reasonable to assume it would be desirable that, as the management of the bank is vested in the commissioners, persons occupying those positions should be well qualified in the matter of banking experience. This Bill contains an amendment that will ensure that all full-time commissioners are so qualified.

The chairman and other full-time commissioners are appointed to office for a term of seven years in the first instance, and are eligible for reappointment for a further period not exceeding seven years, and this period is required to be fixed at the time of such reappointment.

It is submitted that in banking, as with other essentially career occupations, those trained in the profession should have the opportunity of being considered for appointment to senior positions. But, under the existing Act, a person having passed his 58th birthday would be virtually ineligible for appointment as a commissioner. This is not considered to be in the best interests of the management of the bank.

Circumstances can often render it desirable for long service leave to be postponed to meet the convenience of the bank. At present, no more than six months' long service leave may be accumulated, and this can involve the necessity of sending officers on leave at a time when their services are required. It is proposed, therefore, to permit the accumulation of long service leave for a longer period but not exceeding 12 months. The long service leave accumulation right will, by this means, be brought more into line with the general practice of other trading banks.

The R. & I. banking organisation has now developed to the extent of employing almost 600 officers. There are 48 branches in which officers can be called upon to serve in centres as far distant as Wyndham and Esperance. This is one aspect pointing to the desirability of the commissioners having discretion to permit accumulation of long service leave with a view to assisting individual officers of the bank.

The Commonwealth Savings Bank was, until recently, the sole operator in regard to school savings bank accounts. All savings banks are, however, now permitted to engage in this form of business. It is proposed to allow interest on school savings bank accounts to be calculated once in each year up to the 31st May—such interest to become principal bearing interest from the 1st June. This provision has been designed to bring the R. & I. banking practice into conformity with that of all other banks conducting business under the school banking system.

Under paragraph (q) of section 65, where a savings bank account is opened at a branch of the bank, it is required that a passbook be issued forthwith to the depositor or to the person at whose instance the account is opened. However, savings bank business includes societies' accounts operated by cheque. Statements are required to be issued for such savings accounts; so the requirement in respect of the issue of a passbook also is considered redundant. This is a matter which it is submitted could well be handled by mutual agreement between the bank and its customers, should they not require passbooks.

Where a person dies leaving an amount of money not exceeding £200 standing to his credit in a savings bank account and probate of his will or letters of administration of his estate are not produced to the commissioners and notice in writing of the existence of a will and of intention to prove it, or, of intention to take out letters of administration, is not given to the commissioners within one month after the death of the person, the commissioners may, in accordance with subsection (1) of section 65S of the Act, in their discretion, apply the money in payment of—

(a) funeral expenses of the deceased person, or in reimbursing any person who has paid these expenses; and

(b) the balance, if any, to the widow or widower or some relation of the deceased person or to such other person as the commissioners in the circumstances think fit.

Having regard to the present day decreased value of money, the limit of £200 is considered too small. The Commonwealth Savings Bank now operates, for instance, on a figure of £600. So it is proposed to repeal this section and amend the Administration Act also to enable the Rural and Industries Bank and the associated banks in Western Australia to have the same facilities as the Commonwealth Bank.

Under the provisions of the second schedule, a stockholder's signature to a power of attorney requires attestation by

two or three witnesses. Part III 6 (1) is the relevant part and the stockholder referred to would be in connection with the bank's debenture or inscribed stock. The requirement of two or more witnesses is regarded as unnecessarily cumbersome. This view is concurred in by the Government's legal advisers, and an appropriate amendment in this respect is contained in the Bill.

Debate adjourned, on motion by The Hon. F. J. S. Wise (Leader of the Opposition).

STATE TENDER BOARD BILL

Second Reading

THE HON. L. A. LOGAN (Upper West —Minister for Local Government) [2.49 p.m.]: I move—

That the Bill be now read a second time.

The State Government Tender Board is constituted and functions under sections of Treasury regulations to the Audit Act. The Audit Act itself is currently being amended; and, during the preliminary review of it and the Treasury regulations made under that Act, the regulations governing the Tender Board were examined with a view to making necessary amendments.

When the proposed changes had been arrived at and referred to the Crown Law Department, the Treasury was advised that the creation and operation of the Tender Board under Audit Act regulations was defective because there was no power, under the Audit Act, to establish such a body by regulation.

It became evident also to those officers reviewing the position that the members of the board were at present placed in an invidious position, with each member being personally liable for actions taken by the board owing to the nature of its existing establishment. There was no means by which this disability could be rectified by amendments to the regulations. Crown Law officers further advised that there was no legislative power in existence which permitted the board to forfeit moneys, as is being done on occasions in connection with contracts.

As might be expected with the board established under regulations which proved inadequate in many respects, recommendations soon came forward for the drafting of comprehensive legislation to be introduced with a view to resolving the problems to which I have made reference, and to remove for all time any doubts as to the board's power to enter into contracts.

The purpose of this Bill accordingly is to re-establish the State Tender Board with statutory powers under a separate piece of legislation quite apart from the Audit Act, which is concerned with procedures for the keeping and verification of records of receipts and payments of public moneys; and this for the very good reason that it was considered inappropriate to attempt to make comprehensive amendments to the Audit Act in an endeavour at this point of time to overcome the legal deficiencies of the present Tender Board arrangements.

This Bill introduces provisions which broadly follow the existing arrangements. Under its clauses, the Tender Board is established by the appointment by the Governor of not less than 10 nor more than 15 members of the Public Service. There are currently 12 members of the board, so the Bill allows for an increase in membership to meet future demands for increased services.

The Treasurer will appoint the chairman and the board itself will be subject to the general direction and control of the Treasurer.

The newly constituted board will take over from the existing board and be responsible for the purchase, custody, and disposal of stores, also the provision of services for departments and Government instrumentalities. As already predicted, the Bill will provide the board with powers to carry out its functions, and it defines the procedures to be followed. There is authority for the making of regulations to prescribe forms and other matters incidental to the administration of the Act.

The members of the Tender Board have examined carefully the provisions in this measure for placing its arrangement on a proper legal basis and they have endorsed the introduction of the Bill, which is commended to members.

Debate adjourned, on motion by The Hon. W. F. Willesee.

WORKERS' COMPENSATION ACT AMENDMENT BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by The Hon. A. F. Griffith (Minister for Mines), read a first time.

LAPORTE INDUSTRIAL FACTORY AGREEMENT ACT AMENDMENT BILL

Second Reading

THE HON. A. F. GRIFFITH (North Metropolitan—Minister for Mines) [2.53 p.m.]: I move—

That the Bill be now read a second time.

This Bill, which has been passed by the Legislative Assembly, seeks to amend the Laporte Industrial Factory Agreement Act, 1961. The significant amendment is in clause 3, which seeks to repeal section 6 of the principal Act and replace it with different agreement variation provisions.

The amended provisions are along the lines of variation provisions incorporated in more recent agreements, such as the iron ore agreements, and also accepted by Parliament in 1963 when amendments were made in respect of the Alcoa legislation.

The original Act provides for the variation of the agreement from time to time by agreement between the State and the company. It has been found in practice this provision is inadequate for the type of variations which are likely to be met with in practice and which are necessary if the objectives of the agreement are going to be achieved in a realistic manner as circumstances change.

The principle was carefully explained when the 1963 Alcoa amendment was before Parliament, but I reiterate that this Bill only proposes variations for the purpose of more efficiently and satisfactorily implementing and facilitating the objectives of the agreement and does not give the Government of the day unlimited powers.

Perhaps if I explain the main reason which prompted the Bill at present before the Legislative Council, it will clarify the position in the minds of members.

Under clause 12 of the original agreement (see page 13 of the Laporte Industrial Factory Agreement Act, 1961) the State agreed to provide up to 100 houses for employees of Laporte. In actual fact 69 have been completed and occupied and five are under construction. Currently there are no outstanding requests from the company.

Shortly after occupying the homes, some of the permanent employees of Laporte expressed a desire to buy the houses in which they lived. This was considered desirable by both the Government and the company. However, it was found that because the original agreement provided for these houses to be leased to the company for purposes of subletting to employees it was not practicable to arrange the sales.

The Crown Law Department advised that such a transaction, although desirable and mutually acceptable to both parties, was open to challenge under the terms of the original section 6 of the principal Act on the ground that it represented "a material alteration." In view of the practical limitations in the original provisions, which limitations it was felt were never intended by Parliament, it was decided to introduce an amendment to section 6 of the principal Act.

Specific reference is made to the provisions of clause 12 of the agreement—that is, those relating to housing. However, the Bill also has a more general application to deal with similar situations that might arise from time to time under the general provisions and implementation of the agreement.

I should emphasise that the proposed amendment to the agreement to permit the sale of these houses to employees will not involve the Government in any additional commitment. On the contrary, it will release funds for additional housing elsewhere. The amended agreement to be negotiated, will provide that it cancels out the Government's obligations under clause 12 to the extent that houses have been provided regardless of whether they are continued for tenancies or are sold to approved occupants.

The details of the sales will be handled by the State Housing Commission in consultation with the company, and the intention is that *bona fide* long term employees of Laporte will be the ones to qualify.

Debate adjourned, on motion by The Hon. W. F. Willesee.

MARKETING OF ONIONS ACT AMENDMENT BILL

Second Reading: Reasoned Amendment to Motion

Order of the day read for the resumption of the debate, from the 21st September, on the following motion by The Hon. L. A. Logan (Minister for Local Government):—

That the Bill be now read a second time.

THE HON. R. THOMPSON (South Metropolitan) [2.59 p.m.]: At this juncture I do not intend to deal with the second reading of the Bill, or the Minister's introductory remarks, but to move the amendment which I have on the notice paper. I move an amendment—

That all words after the word "That" be deleted and the following words substituted:—

until a democratic plebiscite vote is held by all producers of onions, and both the Onion Marketing Board and the Market Gardeners' Association have been allowed to present their cases to the growers for and against the proposed amendments to the Act, this House declines to give this Bill a second reading.

This is a reasoned amendment and there are good and sufficient reasons why the House should give due consideration to it.

Over several years questions have been asked, answers have been given, and many statements have been made in respect of the marketing of onions. From time to time amendments to the Act have been made, and the board has failed to proclaim one which was passed in 1953.

The Hon. A. F. Griffith: Under which Standing Order are you moving this reasoned amendment?

The Hon. R. THOMPSON: This is not governed by Standing Orders, but sufficient precedent has been set.

The Hon. A. F. Griffith: We are all governed by the Standing Orders. Make no mistake about that.

The Hon. R. THOMPSON: Precedent has been established whereby reasoned amendments can be moved. This amendment I have moved will not defeat the Bill, inasmuch as the same Bill can be reintroduced in this session of Parliament. This amendment merely asks for certain things to be done.

The Hon. A. F. Griffith: Before it is given a second reading?

The Hon. R. THOMPSON: That is so.

The Hon. A. F. Griffith: If the second reading were dealt with two or three days before Parliament was due to go into recess, would not the Bill be defeated?

The Hon. R. THOMPSON: It could be reintroduced at the next session. That is not an argument which should be adduced, because we have a period of two or three months before Parliament goes into recess.

The Hon. A. F. Griffith: How do you know?

The Hon. R. THOMPSON: I presume that. I say that a period of two or three months is more likely than a period of two or three days. In that time the objects set out in the amendment could be dealt with; and the board would be given sufficient time to undertake an investigation, conduct meetings, make inquiries, and even hold another ballot, to determine whether or not the onion growers are democratically in favour of the amendments proposed in the Bill.

The Hon. A. F. Griffith: I cannot see how you can claim you are not speaking to the second reading of the Bill, when the matter before the House is the second reading.

The Hon. R. THOMPSON: I am going to address my remarks to you, Mr. President.

The Hon. A. F. Griffith: It is because you do not know the answer.

The Hon. R. THOMPSON: It is not because I do not know the answer.

The Hon. A. F. Griffith: I do not know, and I want you to tell me.

The Hon. R. THOMPSON: I have said quite clearly that sufficient precedent exists for the amendment which I have moved. The Minister has the right to raise a point of order, so I shall not pursue the point any further. I intend to be completely impartial in respect of the onion growers and the board in outlining my reasons in this case. On the 7th August of this year the Chief Electoral Officer posted to the onion growers, as defined in the Act, a ballot paper; and enclosed in the envelope was a circular setting out, in all, 10 or 11 proposed amendments to the Act.

I would like the House to realise that most of the onion growers in Western Australia are of foreign origin, are not completely fluent in the English language, and are not able to understand Acts of Parliament. This circular was posted on the 7th August, and the ballot was returnable on the 20th August. It requested the growers to vote on various matters. I have the document before me; it was posted, together with a ballot paper, in an envelope. This document was partisan in that only the board's views were expressed in regard to the amendment of the Act.

At no time was the Market Gardeners' Association contacted with a view to obtaining its expressions on the amendments. Similarly, at no time to my knowledge were the Carnarvon Fruitgrowers and Market Gardeners' Association, or the growers of onions in places like Manjimup, York, and, to some extent, Kalgoorlie, contacted.

I would like to read some extracts from the document which was sent out to the growers. Later I shall place it on the Table of the House for all members to view. The case for and against is set out under two columns. One part of it is as follows:—

Section 11.

Paragraph (a).

Present.

> By virtue of such proclamation every grower shall become and continue to be a bailee in possession on behalf of the Board of all onions produced by him and to which the proclamation applies until such time as the Board requests in writing, served on the Grower, delivery of such onions either to the Board or its agent or to a purchaser from the Board of such onions.

Amendment.

> Until such time as all his onions have been delivered and accepted in accordance with the Board's written orders.
>
> Reason: Bailment ceases on issuance of request in writing which is too early and is better terminated when onions are accepted for distribution.

That extract refers to only one of the 10 or 11 amendments referred to in the document. I showed the circular to two members of Parliament and asked them what it meant. Members of Parliament are supposed to have some knowledge of how amendments are framed, and what sections of the Act are affected, but neither of them could understand the circular.

In the main the ballot papers and circulars were distributed to people who have not had a day's tuition in an English school; yet we find the Minister in another place saying, in answer to questions, that no partisan view had been taken, and that no one side of the case had been presented to the growers. The growers could not understand the circular.

On the 20th August the ballot papers were returnable to the Chief Electoral Officer. In all, 400 ballot papers were distributed, because there is that number of registered growers. I would point out, however, there are nearly twice as many who are not registered as growers. They are the people who are not covered by the provisions of the Act. They are the people who produce onions in the free period of August to October. The Onion Marketing Board takes control of onions as from the 1st November each year.

There are many small growers and some large growers who have assisted the economy of Western Australia and have made it possible to maintain a continuity of onion supplies over that period during which, up to a few years ago, it was impossible for months at a time to buy onions. These people have now, through their forced growing and much experimentation, developed a type of onion that, subject to weather conditions, can be produced and marketed.

Under these amendments the board aims to take control of all onions during the whole year. It does, in fairness, make provision for exemptions to be granted under a proposed section. However, those growers who do not come within the ambit of this Act were not sent a ballot paper. The only ones who could record a vote were those who produced onions under the control of the board. Therefore they are determining the livelihood of the people who do not come within the ambit of the Act.

Last year Mr. Graham in another place asked the following question of the Minister for Agriculture:—

> Were the growers' organisations informed of the intention to conduct a referendum and the matters to be covered in such referendum?

The Minister replied—

> There is no specific organisation representing onion growers.

That is completely untrue, because most market gardeners belong to associations, irrespective of where they are located. In questions asked this year by Mr. Graham in another place, in view of a much publicised party—an annual event held between the Onion Marketing Board and the Spearwood Fruit and Vegetable Growers' Association—held on the 12th May, 1964, it was revealed that 140 growers attended.

The board had its representatives at that function, and yet the Minister said that onion growers are not represented by any organisation. I do not blame the Minister for that reply. The answer was probably supplied by the Onion Marketing Board.

I believe in orderly marketing. I think that those members who represent the rural and agricultural areas would not stand for such actions of a board when they affect people within their areas. I do not think they would stand for a lopsided ballot paper which was printed in terms not understandable to members of Parliament, let alone to people who have not had schooling in English schools.

Many of these growers did not vote, simply because they could not understand it; and, before this ballot was returnable on the 20th August, seven growers came to me and I obtained from them copies of these papers. They asked me whether they had voted rightly or wrongly. I said, "I cannot answer that for you. Were you in favour of these amendments?" They said, "We were in favour of parts of them and completely opposed to others." I said. "How did you vote?" They said, "We think now we voted the wrong way."

I was so concerned at that particular time that I sought an interview in this building with the Minister for Agriculture (Mr. Nalder) and asked him what situation was going to develop as a result of this; and I explained to him some of the things that went on. Not all growers are good growers and not all growers carry out the law; but the onion board does not carry out the law, either. This was pointed out to the Minister, and as a result no legislation was introduced last session. I doubt very much whether, if Mr. Nalder were in Western Australia now, this legislation would have been introduced this year, because I pointed out the good features of the board to Mr. Nalder and also the bad features of the board. I pointed out the good features of the growers and the bad features of some of the growers. I may be wrong, but I feel that the Onion Marketing Board has taken advantage of the absence of the Minister for Agriculture to get this legislation through.

In 1953—and there are still many members present in this Chamber who were here then—a Bill was passed which became Act No. 39 of 1953. It was introduced in another place by the then Minister for Agriculture (Mr. Hoar), but it was never proclaimed. On page one of his notes the Minister said that it had not been proclaimed and the board had no intention of proclaiming it.

Therefore, what sort of situation do we find ourselves in when Parliament makes a decision, passes a Bill for inclusion in an Act, and the board says, "To hell with Parliament!"? The board has said that for 12 years. On this circular sent to the growers there is no indication of what Act No. 39 of 1953 was. It says "Act No. 39 of 1953: to be repealed." Then the reason is given for the repeal of the Act, as follows:—

> This Board was never consulted regarding this additional Act in order to have amendments submitted. It does not require the Act proclaimed

> in present form and meanwhile it is holding up reprinting of the Act and Regulations bringing them in book form up to date. All provisions in this Act are not disliked. Paragraphs 6, 7 and 8 with slight variation would be of advantage when included in the original Act.

Can any member of Parliament understand what that means? Not one member of this House can tell me what it means; but that is what the growers had to vote on.

The Hon. F. R. H. Lavery: I have studied it and I cannot work it out.

The Hon. R. THOMPSON: I will inform the House what it means.

The Hon. A. R. Jones: How do you know what it means?

The Hon. R. THOMPSON: I have looked it up and I have a copy of the Act here. The Act was assented to on the 18th December, 1953. The main provisions of that legislation allow merchants, growers, and the board to deal in onions for export and other purposes. The board has not seen fit to proclaim that Act.

The Hon. H. K. Watson: Was the Bill assented to, but not proclaimed?

The Hon. R. THOMPSON: It was not proclaimed.

The Hon. H. K. Watson: Was it assented to, but not proclaimed?

The Hon. R. THOMPSON: That is right.

The Hon. H. K. Watson: Or was it not assented to?

The Hon. R. THOMPSON: This is what the Minister said in his address to the House.

> There is this further point that, until the 1953 Act has been repealed, the board is unable to proceed with the consolidation of the regulations, as there is no intention by the board to recommend its proclamation.

The Hon. H. K. Watson: It would appear that it was assented to but not proclaimed.

The Hon. R. THOMPSON: That is correct. So the board has proved that it takes no notice of Acts of Parliament.

I am now going to deal with something that has been publicised; namely, the annual meeting, which I mentioned just recently, that takes place between the fruit and vegetable growers and the board. This meeting took place on the 20th May last year in the agricultural hall, Spearwood. It is customary—and the Minister in another place mentioned this—for a meeting to be held and for refreshments to follow.

The representatives of the Onion Marketing Board went along, and they took interpreters with them. There was a certain amount of liquor, tea, and other refreshments at this function. However, no case was put to the growers; instead, a brawl developed and the police had to be called. This broke up the meeting and no report was made.

The Hon. H. K. Watson: It would seem that several cases were put to the growers.

The Hon. R. THOMPSON: I said at the beginning I was going to be impartial and would present the facts. I believe in orderly marketing. I am in favour of an onion board, provided it does the right thing; and I am in favour of growers, provided they do the right thing. When they do the wrong thing, I am not in favour of them.

That meeting broke up. No indication was given to the growers at the meeting, or to their association, and no further meetings were held to acquaint them of this proposed vote. If a meeting had been held, the Market Gardeners' Association would have had some knowledge of it and would have been able to present its case, or studied the amendment. It might not have been prepared, or might not have wanted, to submit a case against the amendment. Instead, the association was completely ignored and no action was taken by the board to inform the growers then of this vote.

The Hon. H. K. Watson: Are all the onion growers members of this association?

The Hon. R. THOMPSON: The majority, yes. At a later stage I will tell members of a few things that I think Parliament should do in respect of those growers who are not members of the association.

On the 23rd August last I received this letter from the Market Gardeners' Association of Western Australia, Main Street, Tuart Hill. This copy was sent to me, and a copy was also sent to Mr. Graham, the Assembly member for that area, and the letter states:—

> Thanks for yours dated 20th August received this morning. Spearwood growers have phoned me expressing concern that the amendments now before Parliament may become law.
>
> As you are aware, the Executive of our Association called a special meeting of onion growers in the Spearwood Agricultural Hall on the 9th September, 1964 to discuss these proposed amendments. Also to explain that we had received no intimation that a referendum on the question of the proposed amendments was to be held.
>
> We felt we had an obligation to call this meeting because we had a hundred Spearwood members in our Association who would look for some guidance from their association because the proposed amendments would affect them.
>
> The ninety growers who attended the meeting expressed themselves overwhelmingly against the proposed amendments.

The production of onions—in step with other vegetables—has increased in supply because of increased demand locally and overseas over the years. The Onion Marketing Board takes undue credit for the sales of export onions.

Private merchants sell to overseas buyers but as soon as the board feels that a sellers' market is operating supplies of onions for merchants are hard to obtain and the board undertakes the role of exporter on a rewarding selling set-up originally started by free enterprise. Exporters express disgust at the methods adopted by the Onion Marketing Board.

Grave dissatisfaction at the action of the Onion Marketing Board have been expressed by members from time to time—the enclosed pages from the July 1956 issue of the "Market Gardener" is a sample.

The board has shown a lamentable lack of marketing knowledge. A recent example was the placing of cool-store onions on the market floor at a price which was unattractive to buyers compared with the price of imported onions offering. The board had to confer with agents to help them out of their unbusinesslike methods.

The amendment which would remove the free marketing period, is not acceptable to growers in Spearwood and other favoured positions in the metropolitan districts who grow early onions. Although results have been disappointing from Kalgoorlie, York and Carnarvon, considerable quantities of early onions are now grown as the result of the free marketing period. These onions are always a light crop and costly to produce. They are in competition with importations when marketed.

Under control, the early onion crop —as has happened with early potatoes —would disappear. Growers would not be content to have 15 per cent. deducted in commission and be at the mercy of the board to pool such onions with those grown under more favourable conditions.

The large proportion of local onions are marketed by the auction firms in the metropolitan markets. The board renders no service but collects 5 per cent. commission on the auction sales.

A little investigation by responsible Government representatives among merchants of the metropolitan markets would, we feel, endorse the contention of our members that the Onion Marketing Board is a burden and not a blessing on the onion industry and that the Royal Commissioner, Mr. A. G. Smith was correct in his finding that there was no reason for the continued existence of the Onion Marketing Board.

Members of our Association are emphatically opposed to an increase in the administrative powers of the board.

That is an expression of opinion by 90 growers that they are not in favour of these amendments. This measure was introduced in another place and one of the members there was successful in moving an amendment which was ultimately tidied up by the Minister. He was a Country Party member who represents growers who produce less than one per cent. of the onions grown in Western Australia. Despite this, the amendment moved by that honourable member was agreed to in another place.

I represent the views of 85 per cent. of the onion growers in this State. The quantity of onions which passes through the board annually is approximately 8,500 tons, and 85 per cent. of that total is produced in the South Coogee, Spearwood, Hamilton Hill, and Naval Base areas. As a result we find that growers in those areas are emphatically against these proposed amendments. Their association was not even consulted or informed as to what was intended by them. Yet we find that in another place a member, who represents an area where only one per cent. of the total onion production of the State is produced, is successful in having an amendment to the Bill passed.

The Hon. H. R. Robinson: What was the result of the poll?

The Hon. R. THOMPSON: The result of the poll was a difference of seven votes, with seven informal votes being cast. There should not have been any necessity for anyone, when voting on a question which directly involves one's livelihood, if one understood what one was voting for, to have lodged an informal vote. It is only common sense to realise that anyone who is voting on the pros and cons of any question which will affect one's livelihood and the welfare of one's wife and family will not vote informally. The explanation that was given to me for the casting of seven informal votes is quite understandable. I was told that people voted the wrong way without realising it. I would point out, too, that they came to me; I did not go to them.

The Hon. N. McNeill: Of the total votes cast, what percentage did the informal votes represent?

The Hon. R. THOMPSON: There were 85 votes cast against the amendment—

The Hon. L. A. Logan: Would you like me to give the figures to you?

The Hon. R. THOMPSON: —and 92 for it, with seven informal votes. So it can be seen that the people who voted informally did so because they could not understand the question on which they were voting. I will defy any member of this House,

including the Minister, to study this question overnight, without reference to the principal Act, and give a concise explanation of it the following morning. I am certain he could not understand this document, and yet that is what the onion growers were asked to vote on. That is the reason for my amendment. I am quite easy on this matter. I do not want to do away with the board at this juncture or at any other time, unless it is proved that the board does not function in the best interests of the grower.

It is true that there are growers' representatives on the onion board. As late as last week I was speaking to one of them, and I said to him, "Are you trying to tell me that the growers understood what they were voting for?" He replied, "They could not so and so understand that. Thirty per cent. of them are illiterate, 30 per cent. cannot read, and the other 30 per cent. have other interests." That is a statement that was made by one of the growers' representatives.

The Hon. F. D. Willmott: That statement is true whether they could understand the document or not.

The Hon. R. THOMPSON: In my view it would make a difference. Would the honourable member send a document such as that out to growers? Even a growers' representative has said that most of these people concerned are illiterate, and by that I take it he is referring to their lack of knowledge of the English language, because most of them have never had any schooling. These people are now anxious to see something done along the lines of my amendment.

It will not take away the powers of Government or Parliament if a determination is made on this matter this session. It can be done; and there is plenty of time for it to be done, because a meeting of the growers could be called within one week by the Onion Marketing Board. The representatives of the growers and the growers themselves could be advised, and another ballot could be taken after these amendments have been explained in simple language to simple people, and not couched in legal phraseology which not even I, or any other member of this House, can understand. This could be done within a month. The Government could then introduce a similar measure, if it were so desired, during this session of Parliament.

If the Minister feels that is not desired by the Government, or that the Government does not want to see me succeed—because that is all it would be; it would not be in the interests of the grower that I should be defeated when this is put to the vote—I would be so generous as to suggest to the Minister that there is sufficient time before us to enable him to place this at the bottom of the notice paper and leave it there in order that the provisions of my amendment might be carried out this session of Parliament.

I am quite easy in the matter. All I want to see is that democracy takes its course when it is dealing with the livelihood of the persons involved. I think we all stand for that, and we should see that the principles of democracy are carried out. When this goes to the vote, and when the market gardeners have a democratic plebiscite, unless the reasons for the ballot are explained to them in terms that they can understand, I would say we are not a democracy. I repeat: We are not a democracy if the Bill is passed through this House, or if my motion is rejected, or if it is not put to the bottom of the notice paper and left there until what I have suggested is carried out. I would go a little further, and, without being critical of the board, I would speak generally on what I think should happen.

The Hon. L. A. Logan: Are you speaking to the second reading of the Bill or to your amendment?

The PRESIDENT (The Hon. L. C. Diver): Will the honourable member address himself to the amendment?

The Hon. R. THOMPSON: I propose to, Mr. President. I do not intend to get away from the amendment. I am speaking generally. When speaking to the amendment one must speak of the actions of the growers and of the board. The board is doing good things at the present time, and some of the amendments it has suggested are necessary. On the other hand, others are totally unnecessary.

I do not think the Minister will listen to me; I think he is going to oppose my amendment so, in the interests of the House, it may not be wise to pursue the matter any longer.

The Hon. F. J. S. Wise: Do not anticipate that.

The Hon. R. THOMPSON: Perhaps I should just move the amendment standing in my name, and let it go at that. I have tried to present a case to the House in the interests of people who are hard working and who produce a commodity which returns to the State of Western Australia many thousands of pounds—as mentioned by the Minister—through exports to Mauritius and to the Asian countries, and which also helps offset our balance of payments within the Commonwealth.

We export out of Western Australia two-thirds of the crop of onions produced. It is not fair that these people should be denied the right to their livelihood; and some people will be denied such a right if the suggestions I have outlined are not adopted.

Sitting suspended from 3.45 to 4.2 p.m.

THE HON. L. A. LOGAN (Upper West —Minister for Local Government) [4.2 p.m.]: I think at this stage I ought to give another side of the picture to that which Mr. Ron Thompson has given. In his remarks he stated that the election held was not democratic. With this I disagree.

Originally, when the Onion Marketing Board made representations to the Minister for amendments to the Act, the Minister referred the matter back to the board and said, "I think we should have a referendum of growers on this," and the Onion Board agreed. There was no provision in the Marketing of Onions Act for a referendum to be held, so an approach was made to the Chief Electoral Officer (Mr. Wheeler) to see if he would conduct the referendum. Mr. Wheeler agreed to carry out the referendum on behalf of the board.

I can now go on to the meeting in May at which some 140 growers were present. Nobody can tell me that after that meeting it was not known that a referendum was going to be held, because it was freely stated.

Point of Order

The Hon. R. THOMPSON: Mr. President, at no stage did I say the growers did not know a referendum was going to be held. I said the explanations for the amendments to the Act were not made to growers.

Debate (on amendment to motion) Resumed

The Hon. L. A. LOGAN: I did not say the honourable member said that. I said nobody could tell me that the growers did not know the referendum was pending. From that meeting we go on to the time when the Electoral Office sent out, on behalf of the Onion Marketing Board, the circular which has been submitted to you, Sir, by Mr. Ron Thompson. If you study this you will find the following on the top:—

> Hereunder this Board submits to you amendments it seeks to the Marketing of Onions Act, 1938, with its reasons for their necessity.

It goes on to say—

> Each reference is given—present wording with amended wording shown opposite—words relevant to amendment being in bold type.

Then it goes on to section 2, showing the present position, the amendment, and the reasen. This was followed right through in the circular.

The Hon. R. Thompson: What about the last one?

The Hon. L. A. LOGAN: I cannot find anything in this circular where it says to vote "Yes." As a result of this Mr. Cruickshank made a request to growers. Perhaps I had better give the number of growers. There were 428 voters on the roll; 184 ballot papers were admitted to the count; and 13 were rejected for various reasons, making the total number received 197. The result of the ballot was "Yes" 92, with 85 against, and informal, seven. So that members will know that the growers knew what was going on, I will refer to some of the circulars which were sent out.

The Hon. R. Thompson: By whom?

The Hon. L. A. LOGAN: I will tell the honourable member in a minute. Some anonymous circulars were sent out.

The Hon. F. R. H. Lavery: There were 240 growers that never voted.

The Hon. L. A. LOGAN: One circular reads as follows:—

> CIRCULAR TO ONION GROWERS
>
> As you are all aware the Onion Board has issued a circular with new regulations and changes in the existing Act, this will give the Board more control over the sale of onions. The majority of us feel that there is enough control already and we would prefer that the Act remain as it is now.
>
> We work hard for our living and deserve our full rights, therefore we urge all growers to VOTE:—
>
> NO X

That was also sent out in another language. I am not going to read it, because I cannot. However, I presume it is in the language spoken by most of the people in the area to which it was sent. It is exactly the same circular and, as far as I understand, it was put in the mail boxes of growers.

The Hon. R. Thompson: I heard about that circular. I believe it was sent out after the vote was taken. Is there any date on it?

The Hon. L. A. LOGAN: It was sent out before.

The Hon. R. Thompson: How many growers received it?

The Hon. L. A. LOGAN: I understand that all of them did. Then we find the following on another circular:—

> To Members of the Market Gardeners Association who are registered Onion Growers.
>
> In the last circular issued from the W.A. Onion Marketing Board, their executives are asking for you to vote "YES" to allow them to:—
>
> 1. Alter the Onion Marketing Act to increase the penalties under the Act for non compliance with the Act.
>
> 2. Gain more control over the sale of onions.
>
> 3. Do away with the three months free marketing period of Onions from August 18th to October 31st each year.

Then it goes on to say—

> We believe that this will stop the big growers from receiving the high prices generally obtained in this free marketing period, and also, it is against our policy of co-operative marketing, which is to obtain the best returns for growers.
>
> You are urged therefore to vote
> NO X
>
> when voting, and keep your marketing as unhindered as possible.

This circular was signed, A. E. Brindal, Secretary, Spearwood Branch, Market Gardeners' Association. So, Mr. President, I have given you two circulars; one signed by Mr. Brindle, and an anonymous one.

The Hon. R. Thompson: Can you tell me if 10 votes were allowed, one for each amendment, or did a "Yes" or "No" vote cover the lot?

The Hon. L. A. LOGAN: I would imagine it would be simply a "Yes" or "No" vote, because they were asked to mark their ballot paper with a cross.

The PRESIDENT (The Hon. L. C. Diver): Order!

The Hon. R. Thompson: As a farmers' representative would you agree to a vote of that nature?

The Hon. L. A. LOGAN: It all depends on what is asked.

The Hon. R. Thompson: That is it.

The Hon. L. A. LOGAN: They were told by their own people to vote "No."

The Hon. F. J. S. Wise: You could not hold a referendum on 10 issues.

The Hon. L. A. LOGAN: Despite the fact that they were told to vote "No" and there was no pamphlet urging a "Yes" vote, the majority of growers voted in favour.

The Hon. R. Thompson: Included with the ballot paper.

The Hon. L. A. LOGAN: Where is that one?

The Hon. R. Thompson: The one I put on the Table of the House—the reasons why they cannot do this or that unless they get this vote.

The PRESIDENT (The Hon. L. C. Diver): Order! I ask Mr. Ron Thompson to make notes and reply to the Minister in due course.

The Hon. R. Thompson: My apologies, Sir.

The Hon. L. A. LOGAN: All I am doing is telling the House that these growers did know through their own organisation—through the Spearwood Market Gardeners' Association and anonymous circulars. I know of one prominent person who went amongst the growers there advocating a "No" vote. I obtained that information myself.

The Hon. F. J. S. Wise: That is like asking the question: Have you given up beating your wife?

The Hon. R. Thompson: What about telling us who that prominent person was?

The Hon. L. A. LOGAN: I am not going to.

The Hon. R. Thompson: It is not fair to say, "a prominent person."

The Hon. L. A. LOGAN: That is the information I obtained at the time.

The Hon. R. Thompson: I would like to know who the prominent person was.

The Hon. L. A. LOGAN: I travel in that area quite frequently on town planning problems.

The Hon. R. Thompson: I would like to know who it was. I did not hear of any prominent person.

The Hon. L. A. LOGAN: A circular was sent out which advised of the situation; and the meeting was held three months prior to the referendum taking place, and undoubtedly it was discussed at this meeting. It must have been.

The Hon. F. J. S. Wise: Do you think it is a fair sort of a referendum to ask 10 questions that could have 10 answers and expect one answer to all?

The Hon. L. A. LOGAN: If the honourable member will look at them—

The Hon. F. J. S. Wise: I have.

The Hon. L. A. LOGAN: —he will find there is only one question which is causing all the trouble, and we are not dealing with that at the moment.

The Hon. R. Thompson: Send out a circular with 10 questions and a vote for each question, and we will have no argument.

The Hon. L. A. LOGAN: If what has gone on was ignored and the matter was considered dispassionately and in a state of calmness and another referendum of growers was taken, what would happen?

The Hon. H. K. Watson: What about the amendment we made last night to the Local Govermnent Act requiring 10 per cent.?

The Hon. L. A. LOGAN: This is much more than 20 per cent.

The Hon. R. Thompson: This was only conducted among growers who supplied onions to the board. The people outside the scope of the board are also covered by this legislation.

The Hon. L. A. LOGAN: Yes; and I guarantee all those who are sellers of early onions are also sellers of late onions. If not 100 per cent. of them are registered growers, 99 per cent. are. I think the honourable member can accept those figures as being right.

The PRESIDENT (The Hon. L. C. Diver): Will the Minister please address his remarks to the Chair and thus avoid many interruptions?

The Hon. L. A. LOGAN: I was also advised, but I do not know whether it is right, that Mr. Cruikshank's representatives canvassed the growers asking them to vote against the measure.

The Hon. H. K. Watson: He is a big campaigner.

The Hon. L. A. LOGAN: If that is true, we had Mr. Cruikshank and his representatives, the Spearwood market gardeners, and also the anonymous letters which were sent out. They were all against the amendments. So, I am answering the statement that the referendum was not democratic. It was taken out of the hands of the Onion Marketing Board and placed in the hands of the electoral officer who sent out ballot papers to all the registered onion growers. The onion growers themselves had the opportunity to talk over the matter; and I say it was a properly held referendum conducted fairly and dispassionately and without any argument.

The Hon. R. Thompson: I hold you as being eminently fair, and I ask: Do you think the way the reasons were sent out was fair?

The Hon. L. A. LOGAN: I say that if I had been an onion grower, I would have been in a position to understand what was going on.

The Hon. F. J. S. Wise: No; you cannot have that.

The PRESIDENT (The Hon. L. C. Diver): Order!

The Hon. L. A. LOGAN: That is a fair statement. Onion growing is their livelihood; and do not try to tell me that they do not find out what is going on around the place! Of course they do. Despite all this argument about the result of the ballot, it was still favourable.

The Hon. R. Thompson: But I have told you that people are not in favour of it.

The PRESIDENT (The Hon. L. C. Diver): Order!

The Hon. L. A. LOGAN: Not so very long ago a referendum was taken among members of Parliament and we had one informal vote. That was from a member of Parliament. Yet, we only got seven informal votes out of all those growers. I am very pleased that Mr. Ron Thompson is in favour of orderly marketing.

The Hon. R. Thompson: Absolutely.

The Hon. L. A. LOGAN: I think that this Bill is what we want and it will help us to get what we want. If we toss it out and start again, my opinion is that we will never get what we want. Therefore, I oppose the reasoned amendment moved by Mr. Ron Thompson.

Debate (on amendment to the motion) adjourned, on motion by The Hon. N. E. Baxter.

STREET PHOTOGRAPHERS ACT AMENDMENT BILL

Second Reading

Debate resumed, from the 22nd September, on the following motion by The Hon. L. A. Logan (Minister for Local Government):—

That the Bill be now read a second time.

THE HON. J. DOLAN (South-East Metropolitan) [4.18 p.m.]: When I took the adjournment of this Bill I thought it would be just a case of getting up today and saying that we agree with the amendment that is proposed. However, I thought I would have a look at the debate which took place in this House when the Bill was introduced in 1947. I thought I would find out what the Act was about and what sort of debate took place. I wanted to see whether the Act was really worth while.

I found that during that session no Bill occasioned so much discussion and so many amendments—and even heat—as did this particular Bill. There are a couple of questions I wish to refer to the Minister, and I hope he will be able to answer them because one of them is a little bit too involved for me.

It appears that immediately following the last war some ex-servicemen—and they figured prominently in the last debate—formed the opinion that street photography was a pretty good game to get into.

Street photography started in Sydney and made its way to the other States, and that is why it was probably a little late in arriving here in Western Australia. In Sydney, some photographers were making as much as £3,000 a year. It reached the stage where taxi drivers and hotel waiters—those types of persons—were engaging in photography also. The usual thing was for them to take pictures of tourists, and they made quite a bit out of it. Eventually, the stage was reached when the photographers had to be pulled into line, because they began to make a nuisance of themselves.

The professional photographers—those with studios—approached the Perth City Council and asked whether something could be done about the matter. The Perth City Council used one of its by-laws to institute proceedings against the street photographers. The by-law stated that no person should in any street or public place give out or distribute to passers-by—or scatter or throw down—any handbill, ticket, placard, or notice. The street photographers issued a little ticket giving the address of the place where the photograph could be picked up. That seemed a good set-up, but under the by-law I have mentioned the distribution of tickets breached the law and those people were succesfully prosecuted.

It was because of those prosecutions that the Bill was introduced in another place during 1947. As I said, it occasioned considerable debate. It was amended considerably, and when it eventually became an Act it seemed that it was a pretty good one and would be successful. There has been no amendment to the Act until this Bill. The reason for this Bill is for one purpose only and that is to increase the license fee from £1 to £5. That seems simple.

The number of licenses which can be issued by a local governing body is one for every 10,000 persons living in the locality. I think that at the time the Bill was introduced there were 92,000 people in the City of Perth—or at least under the control of the Perth City Council. That meant that nine licenses could be issued. I understand that this was overcome by one man working in the morning and another working in the afternoon and both using the same license. There were all kinds of abuses.

The first point I wish to raise is that the definition in the Act provides that a public thoroughfare means and includes highways, streets, roads, arcades, thoroughfares, and so on but does not, for the purposes of the Act, include any street in the City of Perth which is restricted to one-way vehicular traffic. The two main streets in Perth where these people operate are one-way streets—Murray Street and Hay Street. I have never had my photograph taken by a street photographer—perhaps they might have a good reason—in any place except Hay Street or Murray Street. It appears that anyone operating in those two streets is not, in fact, contravening the Act. So, it would appear that those photographers do not require a license; and I hope the Minister will be able to answer that one for me.

The Hon. L. A. Logan: I think a license is required. Your reference was to the issuing of licenses; not to the places of operation.

The Hon. J. DOLAN: My next query comes under the Local Government Act, and I will quote paragraph (w) of section 244. It gives to the local governing body the power to bring in a by-law as follows:—

> for prohibiting absolutely or unless by authority of a license issued by the council, or for regulating the taking of, or offering to take, photographs for sale or reward in streets, ways, footpaths, and other public places;

I would like the Minister to tell us which Act takes precedence.

The Hon. L. A. Logan: The Local Government Act.

The Hon. J. DOLAN: So if a local governing body cared to introduce a by-law, it could defeat the purpose of this Bill which is before us, or the Act at present in operation. It seems strange to me that we can have two Acts which conflict, and that one must take precedence over another. I feel that is a state of affairs which should not exist.

Apart from those two points, the proposed amendment seems to be perfectly fair and we have no opposition to it whatever. I hope the Minister can give us an assurance on those two points—how the Act applies to people operating in a one-way street; and which Act takes precedence.

THE HON. L. A. LOGAN (Upper West —Minister for Local Government) [4.27 p.m.]: With my limited knowledge I would say the answer to the second query really covers the first question. The Street Photographers Act lays down where a street photographer can operate. Even though there might be some doubt in that respect, the Local Government Act by-law which gives the power to charge a license fee covers the question raised. So, it is covered in both ways.

Dealing with the particular aspect of the Local Government Act, I think that if the honourable member will go back a little in his reading—I only noticed this myself last night—the point was the subject of discussion during the course of the Royal Commission on the Local Government Bill, and at that time the Perth City Council asked that this power be put into the Local Government Act. I think I can give the honourable member an assurance that there will be no by-law made to prohibit this as far as the Perth City Council is concerned. It would not even get through this House to see the light of day.

What Mr. Dolan said about the position which obtained early after the war was one of the reasons for the introduction of the measure. It was known, whether by writing or from visual observation I do not know, that the photographers were becoming a nuisance on the streets in Sydney and Melbourne, and we did not want the same situation to develop here. That was one of the main objects for passing the Bill.

It was mostly returned servicemen who were in the business, and it was mainly because of Hugh Leslie that the Bill saw the light of day. I know he was the man behind the Government and he represented the returned soldiers' point of view. To be specific on the question asked by Mr. Dolan, the licensing of street photographers will cover that point. It is not likely that a by-law will be brought in to prohibit street photographers.

Question put and passed.

Bill read a second time.

In Committee, etc.

Bill passed through Committee without debate, reported without amendment, and the report adopted.

LOCAL GOVERNMENT ACT AMENDMENT BILL (No. 2)

Further Recommittal

Bill again recommitted, on motion by The Hon. L. A. Logan (Minister for Local Government), for the further consideration of clause 12.

In Committee, etc.

The Chairman of Committees (The Hon. N. E. Baxter) in the Chair; The Hon. L. A. Logan (Minister for Local Government) in charge of the Bill.

Clause 12: Section 400 amended—

The CHAIRMAN: This clause was amended by the Minister last night and when I put the amendment to the Committee I omitted to include the words "in width" with the words "of not more than thirty-three feet." It will be necessary for the Minister to move for the inclusion of those words.

The Hon. L. A. LOGAN: To make sure whether I was right or you were right, Mr. Chairman, I checked the marginal notes I have on the Bill and I found that I had included the words "in width"; but whether I moved the amendment with those words included I do not know. However, to put the matter right I move an amendment—

> Page 6, line 11—Add after the words "of not more than thirty-three feet" inserted by a previous Committee the words "in width."

Amendment put and passed.

The Hon. L. A. LOGAN: When the Parliamentary Draftsman rang my secretary regarding the words which I wanted to have included in paragraph (a) of subsection (2) the word "from" was used, but it was written down as "by", and that is how it came to be in the typed amendment I gave to the Clerk. Members will recall that we deleted paragraph (b) and inserted a new paragraph (b). I move an amendment—

> Page 6—Delete the word "by" where first appearing in line 5 of new paragraph (b) inserted by a previous Committee, and substitute the word "from".

Amendment put and passed.

Clause, as further amended, put and passed.

Bill again reported, with further amendments.

LOCAL GOVERNMENT ACT AMENDMENT BILL

Second Reading

Debate resumed, from the 22nd September, on the following motion by The Hon. W. F. Willesee:—

> That the Bill be now read a second time.

THE HON. L. A. LOGAN (Upper West —Minister for Local Government) [4.38 p.m.]: This Bill deals with parking fees, mainly for the City of Fremantle, but it has general application. While I am not entirely satisfied with the measure I am prepared to accept it; although Mr. Willesee gave notice that during the Committee stages he will endeavour, by the amendments he has on the notice paper, to alter the Bill to make it conform with the wording it contained when it was first introduced in the Legislative Assembly.

Last evening, when introducing the Bill, the honourable member read an extract of what I said when the City of Perth Parking Facilities Act was before this House. However, I think if the honourable member has another look at what I said he will realise that I was talking about revenue from parking meters, whereas this Bill deals not only with that revenue but also the revenue from parking areas, fines, and other charges. In this regard I do not know whether we should say to local authorities that because they receive revenue from parking it must all be spent on parking facilities.

I think we should consider this example: We could have a private person who is running a private parking area and who is charging motorists a fee for using that area and is making a profit from it. Next door to him we could have a council—whether it be a municipal council, a shire council, or a city council does not make any difference —with a parking area for the use of which certain fees are charged. Yet by this Bill we would be saying to the local authority "All the revenue you get from your parking area you will have to put back into parking facilities"; whereas the person who is running the private parking area, and who is getting money from vehicle parking, can spend that money in any way he likes.

I am happy with the idea that revenue which is derived from parking meters should be spent on parking facilities, because the meters would be limited in number and the areas in which they could be installed would also be limited. Had this Bill been designed to cover only revenue from parking meters I would not have hesitated to accept it; but when we see that it covers fines, and all the rest of it, I think it is going too far because it is telling local authorities what they should do with their money. We do not do that with anything else, even with main roads funds, which are collected by way of taxation. All that money goes into Consolidated Revenue and there is a good deal we do not get back, because it goes somewhere else.

Surely we are not going to say to a council that because it has a swimming pool, and it derives revenue from it, all that money should go back into the

running of the swimming pool. I think we can rely on the local authorities themselves to do the right thing; and if anybody in this House wants proper parking facilities it is I, because I have been battling for ages to ensure that all sections of industry provide vehicle parking facilities.

The City of Fremantle has embarked upon a £200,000 parking scheme in conjunction with city development, as I mentioned last night. This scheme was accepted by the ratepayers of the City of Fremantle—not the motorists, but the ratepayers themselves. Under this Bill all the revenue from parking will have to go back into parking, and I do not think we should accept that principle. Here is a city council deliberately going out of its way to assist city development, for the benefit of the city. It has adopted a scheme—and the ratepayers have given it their blessing—which will involve an expenditure of £200,000. Yet if we pass this Bill we as a Parliament will be saying to the council, "All the revenue you derive from parking must go back into parking."

Undoubtedly for some time the money will have to be used for that purpose, because the council will have to repay a loan. Yet under this Bill, when that loan has been repaid, the revenue derived from parking will still have to be spent on parking; and that is the principle we have to look at.

There is a lot of difference between the City of Perth Parking Facilities Act and the provisions in the Bill before us. The City of Perth Parking Facilities Act was something new; and, what is more, the City of Perth raised the money involved in putting that scheme into operation under a Government guarantee—the sum of £400,000 was involved—and naturally Parliament had to lay down directions as to how the money could be spent. However, I am a little frightened and worried that if the money is put into a trust fund we will eventually have a lot of money tied up without being used for any specific purpose.

If we look at the balance sheet of the City of Perth, with regard to parking, we find that at the moment it has total assets of £685,522 and liabilities of £76,156, which means there is a surplus in the parking fund now of £609,366. That is not all in cash, as I will indicate as I give members a run-down of the figures.

The cash in the bank amounts to £7,022; cash in bank for the replacement fund £396; and sundry debtors and police court fines £313, or a total of £7,731. The figures for the deposits are £170,000 invested on fixed deposit, and £31,000 invested on fixed deposit for the replacement fund, or a total of £201,000. These are liquid assets. In addition there are the freehold land amounting to £166,038, parking areas £194,526, and a few other items consisting of parking meters, office equipment, and the like.

It has been stated that this money is to be set aside to buy freehold property for further parking facilities. That might be so, but when will the Perth City Council spend it? This year it has made a profit of £63,000. Only in this morning's newspaper we read about a company which has bought the old Masonic hall in Hay Street to set up a parking station.

The Hon. F. R. H. Lavery: The company will make a profit out of the venture.

The Hon. L. A. LOGAN: Yes. The company can do what it likes with the profit it makes. To my knowledge, at least one other company is investigating the possibility of buying a block of land within the city for the purpose of building a parking station. The fact that one company has announced its intention to acquire a site and build a parking station, and two or three others might also come into the field, will cause the Perth City Council to defer the purchase of additional land for parking facilities. The money which it has made and the surplus which is retained in the trust funds will grow; and even though that money is invested it is still classified as a trust fund. That is the situation in which we find ourselves with this Bill before the House, and with its complications.

I ought to remind members that the fringe parking facilities are far from being used to capacity at the present time. The Canterbury Court parking station, where some money goes back to the Government because of the Government guarantee, has been run at a loss for some years. This station is not used to its capacity, and I have seen it full on only one or two occasions in the last six years that I have been driving past it.

The car park near the old Christian Brothers College in St. George's Terrace is nowhere near filled to capacity, while the fringe parking area near the Causeway does not hold more than a dozen cars at any one time. We have a long way to go before these parking areas in the city are used to capacity, and before there is a need for the Perth City Council to buy additional land.

I do not know that similar development will not take place in Fremantle. Private operators could establish car-parking facilities, and that would cause the Fremantle City Council to defer using its money for additional parking facilities. In that event the money would be set aside in a trust fund, and would not be used for the purposes for which this Bill provides it shall be used. I have mixed feelings on the Bill. If it were confined to the revenue derived from parking meters, I would agree to it, because these meters are installed for a specific purpose.

If I might refer to the Bill in its original form, a local authority could not use any of this money for widening a road leading into a car park, because such expenditure would be against the principle of the Bill.

The Hon. W. F. Willesee: That is right.

The Hon. L. A. LOGAN: Surely that is not right. If parking facilities are established for the use of motorists, the approaches and streets to those facilities will have to be wide enough to cope with the traffic; yet under the Bill in its original form it would not be possible to provide these accesses. I have stated my case and given my reasons why I am not happy with the Bill before us. I said I would accept it in its present form, but I would prefer to see it framed the other way.

THE HON. F. R. H. LAVERY (South Metropolitan) [4.52 p.m.]: I am speaking on this Bill because the Fremantle City Council has sent me some correspondence on the matter. It has expressed concern in regard to the parking project which is now almost complete, and in regard to the installation of parking meters in Fremantle. When Mr. Willesee spoke last evening he said that the R.A.C. was not quite satisfied that the Fremantle City Council would implement the promises it had made when it discussed this question with the R.A.C.

As a matter of interest, the parking station being built at a cost of £200,000—representing the ratepayers' money—will be completed within five or six weeks of the introduction of parking meters in Fremantle. It is only a question of whether the parking station is finished first, or the meters are installed first. So the R.A.C. does not have very much to complain about.

I would point out that the City of Fremantle is in a unique position as regards parking, for three reasons. One is that it did not receive a grant of land from the Government, as did the City of Perth, and neither did it obtain a loan of £400,000 from the Government to establish the parking facilities. The next point is that this is probably the only local authority in Western Australia—in fact in the whole of Australia—where the ratepayers are providing a parking station and facilities for the use of the housewife—to enable her to do her shopping in comfort and park her car in a station. The council is proposing a minimum of two hours' parking in the new station; therefore the womenfolk who do their shopping in the daytime will be able to move in and out of the station at their leisure, and will probably be able to do so far easier than in any other parking station in Australia.

The third reason why Fremantle is unique in this respect is that it is located on a peninsula, and it has a number of very narrow streets. These were built in the old days when Fremantle was a group of sandhills, and the horses and drays wound their way through the valleys. The trails which they made became the streets, and the buildings came afterwards. The result is that when the buildings were erected they were built along narrow roads, some of which were only 33 feet wide. In these streets there can only be one-way traffic at the present time.

Through the aid of private enterprise the £2,000,000 shopping centre being established in Fremantle will be of great benefit to motorists and to people who are expected to do their shopping in Fremantle. When this centre is established something will have to be done about the narrow streets; in order to keep the traffic flowing it will be necessary to widen some of them.

I have discussed this matter with the Fremantle Town Clerk and he said I could give an assurance to this Parliament that the revenue which will be obtained from the parking meters will be used for the benefit of the motorist, in widening the narrow streets to enable cars to park on the sides. It is proposed that the whole work will be confined within a quarter of a mile of the centre of Fremantle. It is not right to claim that the revenue to be derived from parking will be used to widen streets in, say, Beaconsfield. That will not be the case at the present time; but in 10 years' time Beaconsfield could become a big shopping centre and then there would be a need to widen the streets there.

I have been requested by the Fremantle City Council to bring these matters to the attention of Parliament. The capital invested in the provision of the parking facilities is to be met by the ratepayers of Fremantle for the use of the motorists and the people who shop in Fremantle. I am merely playing the part required of me by the Fremantle people.

THE HON. W. F. WILLESEE (North-East Metropolitan) [4.57 p.m.]: The whole of this Bill rests on a principle—the principle whether the Perth City Council is to comply with the same conditions which apply to other local authorities in Western Australia. If there is an accumulation of thousands of pounds in the Perth City Council funds at the moment which has not been expended on parking facilities, then the simple issue is that it has charged too much for the use of those facilities.

If the City of Fremantle desires to widen a street or road, it is within its capacity as a local authority to do so. If there was no issue such as the one now before us, and if traffic became too congested, the simple solution would be to borrow the money and finance the widening of roads through local government channels. If we are to depart from the principle in this issue, then I submit that the Perth City Council

—to apply the argument in reverse—should be allowed the same privileges as are allowed to the other 120 local authorities in Western Australia.

A ridiculous situation is reached when this Parliament enables the Perth City Council to operate these facilities under an Act of Parliament, but refuses to apply the same conditions of that Act to adjoining local authorities, by contending that the issues are different. That is too silly. This is an issue which involves the motorists and the parking of vehicles. Any person who has taken even an elementary interest in the traffic problem knows that the parking of vehicles along the sides of roads will shortly become as dead as the dodo. It is as outmoded as it could be. It is a mere convenience at the moment, so what do we do in the case of this Fremantle shire?

The Hon. F. R. H. Lavery: City.

The Hon. W. F. WILLESEE: I bow to the great knowledge of the honourable member. What do we do? We widen the street to put cars in the widened section. What have we gained? We have gained absolutely nothing. Money has been spent valuelessly, creating a situation which does nothing. The ultimate in parking is that the vehicles must be taken off the streets, out of the way. May I, by way of parenthesis, recall an issue raised by the Minister for Local Government last year. He was endeavouring, I think, to have some flats erected and he wanted all the cars underneath the flats and off the street.

The Hon. L. A. Logan: Quite true.

The Hon. W. F. WILLESEE: That is the sole issue of this legislation. Why do we on the one hand say that we will build up the City of Perth, which is a great effort, and then say that all the other people are to act differently? Under the Local Government Act A can do this, and B can do that, and C must do this, and D must do that. Suppose we had a circular street and the Shire of Perth was in the immediate centre. On the outskirts different laws would apply, so that if a car was parked on one side, the money would be used for the establishment of further parking facilities, but if a car was parked on a different side it could be used at the whim of the local government concerned.

My remarks are devoted to a principle, and I will leave it at that. Parliament has said that certain money must be used for the establishment of parking facilities. With the money a trust must be created more or less for the improvement of traffic facilities and parking. Then, the same body of people, give or take a few—in fact, Parliament—within a few years stipulates that the law does not apply here and does not apply there. I appreciate that the Minister for Local Government has to put his views forward, and Mr. Lavery, with all due respect to him, has to put forward his views.

The Hon. F. R. H. Lavery: The council's views.

The Hon. W. F. WILLESEE: The big issue is a principle, and in this House there are 30 people elected to continue a principle, or else! So I hope that in Committee we will give serious consideration to the principle established when parking was first considered in this House.

Question put and passed.

Bill read a second time.

In Committee

The Deputy Chairman of Committees (The Hon. A. R. Jones) in the Chair; The Hon. W. F. Willesee in charge of the Bill.

Clauses 1 to 3 put and passed.

Clause 4: Section 525A added—

The Hon. W. F. WILLESEE: I move an amendment—

> Page 2, line 24—Insert after the word "charges" the words "fines and other penalties".

The purpose of this amendment is to enable a principle to be followed and to provide that all forms of revenue from parking be placed into a fund to establish further parking facilities. It is as simple as that.

The Bill as it stands does not accept the view that fines and other penalties are part of parking revenue. I maintain that if it costs sixpence to park a vehicle in a prescribed area and there is a penalty for not removing the vehicle, that penalty should be part and parcel of the revenue that goes into the meter. Obviously if the vehicle moved on, another vehicle would take its place.

The Hon. L. A. LOGAN: I am definitely of the opinion that these penalties should not be included with the fees from car parks and parking meters. Last year, for modified penalties, the City of Perth received £39,000. Most of that would come from the people who left their cars at a meter after the meter had expired. The revenue from the parking meters themselves was £106,621. Therefore nearly a third of the overall parking-meter revenue is collected in modified fees. The police court fines amounted to £3,639 and the Police court costs were £1,169. Therefore £44,000-odd was obtained from fines and penalties.

The Hon. F. R. H. Lavery: From the pockets of the motorists.

The Hon. L. A. LOGAN: From the pockets of the inconsiderate or forgetful motorists. I do not think this is a charge that should be applied to the provision of parking facilities. I may be wrong. As far as I am concerned this is a private member's Bill. The Government does not like it; and I do not like it, either.

The Hon. W. F. WILLESEE: I can only very briefly say that we are battling out an issue of principle. If it is good in one

case, it must be good in all cases. If too much money is being obtained by fines or from parking facilities, the simple solution is to reduce the charges. We should not still allow that £30,000-odd to be taken from the motorist, for which he gets no return, and place it into general revenue. That is contrary to the principle of local government. When a local government desires to undertake a project in a particular area it rates for that purpose. That local government cannot, because it finds the project a very lucrative source of income, use the money for something else.

In this case we must be consistent and put all the money all in the one account and treat it all exactly the same. If in time all the necessary parking facilities have been provided, the fees can be reduced accordingly. We cannot continue with this half-baked idea. It is not businesslike and would not be countenanced in private enterprise.

The Hon. J. G. HISLOP: I grow somewhat confused as I listen to this debate and I think something needs to be done to straighten at least my thinking. Apparently what is requested is that parking fines shall be used to provide parking facilities.

The Hon. W. F. Willesee: I want it to go into parking.

The Hon. J. G. HISLOP: But under this it won't.

The Hon. W. F. Willesee: No.

The Hon. J. G. HISLOP: It seems to me to be a very fine distinction that if I pay something and legally use a meter, the amount I pay goes into a parking fund. However, if I stay a bit longer than permitted, the money I must then pay is not placed into the parking fund but goes somewhere else. This needs a little clarity.

I also feel a little distressed when I hear talk about narrow streets being widened. If we have narrow streets and they can be utilised for shopping malls, it would be very much wiser to do that than to open the street out at great expense. Portion of the pavement would be required for the widening, and probably shop fronts would have to be moved back.

The Hon. J. Dolan: Some of them are not shopping streets at all. They are those narrow cross streets, for example, in Fremantle. You would never have a mall in those.

The Hon. J. G. HISLOP: We might find that we will later, because shopping looks for narrow streets. This has been proved all over the world. Boston is an example. The streets were widened there and shops were commenced. However, insurance buildings now occupy the streets, because no-one wanted to shop when they had to walk across the wide areas. That is what is going to happen here. Pedestrians are not going to look for shops in wide streets. They will not take the risk of crossing the road, even on pedestrian crossings. More thought should be given to this proposition without just stating that one portion of the revenue shall go one way and one portion another.

Many times I have looked at legislation of this type and have wondered whether it will be right in the future. If this is regarded as correct by the Town Planning Board, I would take some congnisance of it. I would like to know just where it is leading, and what is really meant in regard to the use of the parking fines and the parking charges. It is difficult for me to understand that half should go one way and half another way; because the figures relating to the City of Perth show a division of the order of 70 to 100.

The Hon. R. THOMPSON: Like Mr. Lavery, I received correspondence from the Fremantle City Council in respect of this matter, and we later saw the town clerk. The Fremantle City Council wanted to resume buildings in certain one-way streets. Even with banned parking on one side of those streets, they are still bottlenecks. Around about midday these streets are used entirely by business concerns such as warehouses, etc. There are no shops to service. Only heavy haulage is involved. We pointed out to the town clerk that we could not agree to his proposal to use parking meter money and traffic fines to widen streets for the installation of more parking meters.

It took many years to convince the Fremantle City Council to have those streets made one-way streets; and it took more years to convince the authorities that parking should be banned in them. They agreed to ban parking on one side of the streets.

The most heavily taxed person in Australia is the motorist. It does not seem right that if he is charged for parking and fined for overstaying his limit the local authority should widen bottleneck streets so as to put in further parking meters. If the city council said, "We will widen the streets, but with the moneys collected from the parking meters we will buy properties to provide parking," I would agree with it entirely. But how can we agree to a proposal to widen narrow streets in order to put in parking meters; and that is the issue as far as Fremantle is concerned?

I cannot support the city council's proposal. I must say, in fairness to the council, that it is making a genuine effort. Probably it will be many years before it pays for the multi-storey car park, which is costing a quarter of a million pounds, from the revenue derived from parking meters.

The council is endeavouring to do something which is necessary; but I cannot agree to the principle of widening such

streets as Pakenham Street, Henry Street, Mouat Street, and Cliff Street, for the purpose of installing parking meters.

The Hon. H. K. WATSON: In one respect, I am inclined to agree with Dr. Hislop inasmuch as the amendment we are discussing has nothing to do with Pakenham Street, Mouat Street, or any other street. It is confined to the simple issue of whether funds from parking meters shall go into the general funds of a local authority, or into parking revenue.

I proceed then to disagree with Dr. Hislop when he suggests that the fine is simply an addition to the fee for parking. It is entirely different. A fine is imposed for breaching a by-law. If a by-law under the Health Act is breached and a fine imposed, no-one would suggest that the proceeds of the fine should go into a special fund to look after rubbish bins, or something like that. They go into general revenue.

If someone is fined for a breach of the Dog Act, the fine goes into general revenue. We do not put a provision into the Dog Act to say that the proceeds of all fines shall be used for the construction of pounds and similar places. Likewise, when one is fined for parking, he pays that penalty, not for staying too long, but because he breaches the regulation which says that he shall not stay too long. The lawyers distinguish it thus: *causa causans*, and *causa sine qua non*. The fine is paid for breaching the by-law *(causa causans)*, and not for staying too long at the parking station *(causa sine qua non)*. For that reason, I support the Minister.

The Hon. J. HEITMAN: Here we are trying to tell the local authorities what they shall do with the moneys they raise by various means. I agree with Mr. Watson that the fines have nothing to do with parking meters, and therefore they should not be spent on providing parking meters in other areas.

I know the motorist is heavily taxed, but a tremendous amount of money has to be spent in providing highways, byways, parking areas, and everything else to suit the motorist.

If we seek to interfere with local authorities in respect of moneys they raise, whether by means of parking meters, fines, or rating, I think we are attacking the question the wrong way. If a man is fined for being drunk, the fine is not used for some purpose connected with the liquor laws.

The Hon. W. F. WILLESEE: It gives me great pleasure to absolve Mr. Heitman from what he has just said; but it gives me considerable pleasure to indict Mr. Watson for what he has just said. At the risk of again leading with my chin, I would remind Mr. Watson that he was one who agreed to the City of Perth Parking Facilities Act; and in all conscience he is a very able member of Parliament. He agreed then—in 1956—that these fines should be used in connection with parking facilities. But now he says "No."

The Hon. L. A. Logan: Modified penalties were not in then.

The Hon. W. F. WILLESEE: Another cliche. It is true that if certain regulations are breached the resultant fines become part of the general revenue. In this particular instance, however, if I park too long in the City of Perth I am fined £1, and that money goes into revenue to create further parking facilities. If I park for too long at Fremantle, I am fined £1, but that money goes into general revenue.

We, in solemn conclave, created an Act which has worked very well. There is not a member here who would say that the parking situation in Perth is not successful.

We can do nothing in public administration without money. We can have the most glorious ideas, and draw up great plans, but we must have money to implement them. I agree that the motorist gets it in the neck, left, right, and centre; but at least, in this instance, when he pays a penalty of £1, he knows where it is going—that is, if he is in the City of Perth; but God help him if he is somewhere else!

Here we are doing something to help the future motorist; and it is acknowledged in every journal that we pick up that more cars are being registered every day and more cars are on the roads. But the roads are not capable of handling them, so what do we do? We put them up top and underground, and we need money to do that. I hope the Committee will agree to my amendment.

The Hon. H. K. WATSON: Having been indicted and brought to trial, I am afraid I must plead guilty; but I would plead in extenuation that I must have been completely hypnotised by the spell-binding influence of the Minister who introduced the City of Perth Parking Facilities Bill.

Amendment put and a division called for.

Bells rung and the Committee divided.

Remarks during Division

The DEPUTY CHAIRMAN (The Hon. A. R. Jones): Before the tellers tell, I give my vote with the Ayes.

Result of Division

Division resulted as follows:—

Ayes—10

Hon. N. E. Baxter	Hon. A. R. Jones
Hon. J. Dolan	Hon. H. C. Strickland
Hon. E. M. Heenan	Hon. R. Thompson
Hon. J. G. Hislop	Hon. W. F. Willesee
Hon. R. F. Hutchison	Hon. F. R. H. Lavery *(Teller)*

Noes—13

Hon. C. R. Abbey	Hon. T. O. Perry
Hon. V. J. Ferry	Hon. H. R. Robinson
Hon. A. F. Griffith	Hon. S. T. J. Thompson
Hon. C. E. Griffiths	Hon. J. M. Thomson
Hon. J. Heitman	Hon. F. D. Willmott
Hon. L. A. Logan	Hon. H. K. Watson
Hon. N. McNeill	*(Teller)*

Pairs

Ayes	Noes
Hon. J. J. Garrigan	Hon. G. C. MacKinnon
Hon. R. H. C. Stubbs	Hon. E. C. House
Hon. F. J. S. Wise	Hon. G. E. D. Brand

Majority against—3.

Amendment thus negatived.

The Hon. N. E. BAXTER: Could Mr. Willesee explain to me the intention of subsection (3) of proposed new section 525A? It appears that the wording is somewhat contradictory as to parking facilities provided by the council.

The Hon. W. F. WILLESEE: The question put by the honourable member has caught me on the hop, because I did not realise that clause 4 went so far. However, as far as I can understand, the purpose is to delete paragraph (c).

The DEPUTY CHAIRMAN (The Hon. A. R. Jones): I am afraid Mr. Willesee has misinterpreted the question asked by Mr. Baxter.

The Hon. N. E. BAXTER: I am referring to subsection (3) of proposed new section 525A, which commences at the bottom of page two and continues at the top of page three. To me it appears that this provision is seeking to prevent any revenue, charges, or fines being paid into the parking fund before the date that this legislation will come into operation, but then it provides that, with that exception, the fund shall include all revenue charges, fines, and so on in relation to parking places.

The Hon. W. F. WILLESEE: My explanation would be that the Bill creates a situation similar to that which would apply under the City of Perth Parking Facilities Act. Nevertheless, I will undertake to make some inquiries for the purpose of answering the questions asked by the honourable member.

Progress

Progress reported and leave given to sit again, on motion by The Hon. W. F. Willesee.

ADJOURNMENT OF THE HOUSE: SPECIAL

THE HON. A. F. GRIFFITH (North Metropolitan—Minister for Mines) [5.37 p.m.]: I move—

That the House at its rising adjourn until Tuesday, the 5th October.

Question put and passed.

House adjourned at 5.38 p.m.

Legislative Assembly

Thursday, the 23rd September, 1965

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